



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

March 31, 2011

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To: Mayor Michael D. Antonovich
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "WTF", written over a horizontal line.

SACRAMENTO UPDATE

This memorandum contains a change of County position on legislation regarding open dependency court hearings and the status of County-advocacy legislation to amend State Personal Income and Corporation Income Tax laws to conform with Federal Income Tax law.

Change of County Position on Legislation

County-supported AB 73 (Feuer), which expresses the intent of the Legislature to enact legislation to open juvenile dependency court hearings to the public unless the court finds that admitting the public would not be in a child's best interest, is in the process of being amended.

The proposed amendments include: 1) establish a four year pilot program, in lieu of a three year pilot program, in the counties of Los Angeles, Ventura and Tehama; 2) require that the pilot program begins within one year of securing private funds to fund the entire project and evaluation; 3) allow Judicial Council to adopt guidelines of factors that courts should consider when determining the best interest of the child; 4) require the court to take appropriate action to keep personally identifiable information about the child or the child's sibling or parent confidential and to prevent release of that information in any court hearing open to the public; and 5) define personally identifiable information as the first and last name, address, date of birth, social security, tribal enrollment number, telephone number, e-mail address, driver's license number, place or places of employment, school identification number, military identification number, or

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any other distinguishing characteristic that tends to identify a particular person, among other technical changes.

As reported in the February 7, 2011 Sacramento Update, consistent with existing Board policy to pursue legislation to open juvenile court dependency hearings, the County would support AB 73 and the Sacramento advocates would work with the author's office and Assembly Judiciary Committee staff on the bill based on draft language prepared by County Counsel.

The Department of Children and Family Services and County Counsel indicate that the proposed language needs to be revised to address the following changes for the pilot program to effectively work in the County: 1) conform the term "child's best interest" to Federal law which specifies that safety and well-being of the child, parents, and family, so Federal funding is not potentially jeopardized; 2) broaden the term "Child Welfare System" to "Juvenile Dependency and Child Welfare System as a whole"; 3) include best practice innovations to help increase public awareness of the Child Welfare System; and 4) revisit the provision relating to the use of personal identifiers while still protecting the identity of the child and the child's family.

Because of the County's above requests for amendments, the Sacramento advocates will pursue a Support-in-Concept position on AB 73 instead of a Support position at this time. The Sacramento advocates will continue to work with the author's office on the County's recommended amendments.

AB 73 is scheduled for a hearing on April 5, 2011 in the Assembly Judiciary Committee. As introduced on December 21, 2010, Los Angeles County and Ventura County support this measure. There is no registered support or opposition to AB 73 as of March 31, 2011.

Status of County-advocacy Legislation

County-supported AB 36 (Perea), which as amended on February 18, 2011, would amend the State Personal Income and Corporation Income Tax laws to conform with Federal Income Tax law related to the Federal Patient Protection and Affordable Care Act of 2010, passed the Senate Floor by a vote of 35 to 0 on March 24, 2011 and now proceeds to the Governor.

We will continue to keep you advised.

WTF:RA
MR:IGEA:sb

c: All Department Heads
Legislative Strategist